

REMARKS

This application has been reviewed in light of the non-final Office Action dated January 29, 2007. Claims 1-11 are pending, with only Claim 1 in independent form. Claims 7 and 9 have been cancelled by this Amendment without prejudice or disclaimer of the subject matter presented therein. Claims 1, 3-6, and 8 have been amended. Applicants note that the changes to Claims 3-6 and 8 affect matters of form only and such changes do not, in any way, narrow the scope of any of these claims. Favorable reconsideration is respectfully requested.

Claims 7 and 9 stand rejected under 35 U.S.C. §112 second paragraph. However, Claims 7 and 9 have been cancelled by this Amendment without prejudice or disclaimer of the subject matter presented therein. Accordingly, these rejections are now moot and withdrawal of these rejections is respectfully requested.

Claims 1, 2, and 5 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by the article, “A recurrent neural network classifier for improved retrievals of a real extent of snow cover” IEEE, vol. 39, Oct. 2001, pp. 2135-2147 (“Simpson”). Claim 3 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Simpson in view of U.S. Patent No. 6,977,679 (Tretter et al.). Claim 4 is rejected under 35 U.S.C. §103(a) as being unpatentable over Simpson. Claims 6-11 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Simpson in view of Huang (“Integration of multimodal features for video scene classification based on HMM” – IEEE – Sept. 1999, pp. 53-58). Applicants respectfully submit that the claims are patentable over the rejecting references taken separately or in any proper combination for at least the following reasons.

Independent Claim 1 now requires a method for improving scene classification of a sequence of digital images. The method includes providing a sequence of images captured in temporal succession, at least two pairs of consecutive images in the sequence of images having different elapsed times between their capture. The method also includes classifying each of the images individually based on information contained in the individual image to generate an initial image classification for each of the images. Also, the method includes imposing a pre-determined temporal context model on the sequence of images to generate a revised image classification for each image. The pre-determined

temporal context model considers the temporal succession of the sequence of images.

A notable feature of Claim 1 is that it requires two different classifications of each image: an initial classification for each image and a revised classification for each image. According to Claim 1, a pre-determined temporal context model that considers the temporal succession of the sequence of images is used to generate the revised image classification for each image. Support for these features can be found in the specification at least at page 5, line 27 to page 6, line 11.

In contrast to Claim 1, the Simpson reference generally is not understood to teach or suggest image classification. In particular, the Simpson reference is understood to teach classifying each pixel of an image, as opposed to the image itself, as required by Claim 1. See the last paragraph on page 2138 of the Simpson reference, which continues onto page 2139.

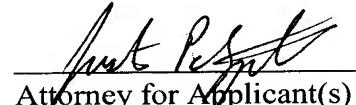
In addition, the Simpson reference is not understood to teach or suggest both an initial classification for each image and a revised classification for each image. Figure 3(a) of the Simpson reference is understood to illustrate a first example of its pixel-wise classification process where no feedback is used. See the last paragraph on page 2138 of the Simpson reference, which continues onto page 2139. On the other hand, Figure 3(b) of the Simpson reference is understood to illustrate a second example of its pixel-wise classification process where feedback is used. See section 2 on page 2139 of the Simpson reference. In particular, the Simpson reference is understood to teach the option of using information from classifications performed on pixels of a previous image when performing its pixel-wise classification process on the pixels of a current image. See section 2 on page 2139 of the Simpson reference. In this regard, Applicants have not found any teaching or suggestion in the Simpson reference that the process illustrated in its figure 3(a) is used to perform an initial image classification for each image in a sequence and that the process illustrated in its figure 3(b) is used to perform a revised image classification for each image in the sequence, as required by Claim 1.

For at least the above discussed reason(s), Applicants respectfully submit that Claim 1 is patentable over the Simpson reference. None of the other rejecting references are cited as teaching or suggesting the above-discussed features of Claim 1. Therefore, Claim 1 is submitted to be patentable over the rejecting references taken separately or in any proper combination for at least the above-discussed reasons.

The other claims in this application depend from Claim 1, discussed above, and, therefore, also are submitted to be patentable for at least the same reasons. Since each dependent claim is deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Respectfully submitted,



Attorney for Applicant(s)
Registration No. 52,118

Justin D. Petruzzelli/dn
Rochester, NY 14650
Telephone: 585-726-7522
Facsimile: 585-477-4646

If the Examiner is unable to reach the Applicant(s) Attorney at the telephone number provided, the Examiner is requested to communicate with Eastman Kodak Company Patent Operations at (585) 477-4656.